Schemes of Delegation

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Policy Approved by	Board of Directors
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Next Policy Review Date	September 2023

Version Control Table

Version	Date	Amended by	Rationale
1.1	11/09/2020	Geoffrey Fowler	Revised draft following scheduled review.
2.0	24/09/2020		Version approved by the Board of Directors
2.1	23/09/2021	Ghulam Abbas	Governance structure amended on page 3
3.0	23/09/2021		Version approved by Board
3.1	14/09/2022	Ghulam Abbas	Annual review of scheme – no changes made.
4.0	22/09/2022		Version approved by the Board of Directors

Guidance on version Control:
The above is an example of how to complete the Version control table.

Versions are 0.1, 0.2 etc until such point as the document is approved. Then it becomes version 1.0.

Subsequent edited versions become 1.1, 1.2, or if it's a major update, 2.0. Do not worry about the numbers going up and up its about getting the policy right – it's all fine.

SCHEMES OF DELEGATION

Policy Coverage

THE POLICY APPLIES OR COVERS THE FOLLOWING GROUPS			
Type of Learner	**Tick (✓)**	**Type of Stakeholder**	**Tick (✓)**
Key Stage 3 (KS3) Carousel	✓	Teaching Staff	
Key Stage 4 (KS4) GCSE	✓	Education Support Staff	
Key Stage 5 (KS5) Level 2	✓	Administrative Support Staff	
Key Stage 5 (KS5) Level 3	✓	Directors	✓
Key Stage 5 (KS5) A Levels	✓	Leadership Team	✓
Apprentices	✓	Employers	

Contents

1. Introduction

London Design & Engineering UTC Academy Trust (the "Trust") is a single academy trust (SAT) and is the legal body responsible for the running the London Design & Engineering UTC (the "LDE UTC"). The Trust's Board of Directors is accountable in law for all decisions about the LDE UTC. However, this does not mean that the Board is required to make all the decisions itself. Many decisions can and should be delegated to the Principal/CEO and the Board's Committees. It is vital that the decision to delegate a function is made by the full Board of Directors and is recorded. Without such formal delegation, the individual or Committee has no power to act.

2. The Purpose of the Scheme of Delegation

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It ensures Members, Directors, Committees and the CEO/Principal are clear about who has responsibility for making which decisions within the Trust.

Deciding what to retain at Board level and what to delegate will vary from trust to trust. The detail will not be set out in the articles of association, the Trust's governing document. This is why it is critical that Trusts agree a SoD that explicitly establishes who makes which decisions, and ensures this is clear to all of those within the Trust.

As Trusts mature and grow the workings of the Trust, both in terms of governance and management are likely to change. The SoD should be reviewed annually, with revisions made as the context changes, if necessary, each year. It is important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

An effective scheme of delegation will:

- Ensure the Principal or CEO is clear about which decisions the Trust Board of Directors remain in control of.

- Ensure that the role of the Principal or CEO is fully understood throughout the Trust.

- Promote a culture of honesty and accountability.

- Identify responsibility for the appointment and performance management of the Principal or CEO

- Identify responsibility for policy and practice in the LDE UTC.

- Identify responsibility for oversight of the LDE UTC's budget.

- Identify responsibility for assessment of risk in the LDE UTC.

- Identify responsibility for oversight of educational performance in the LDE UTC.

3. The LDE UTC's Governance Structure
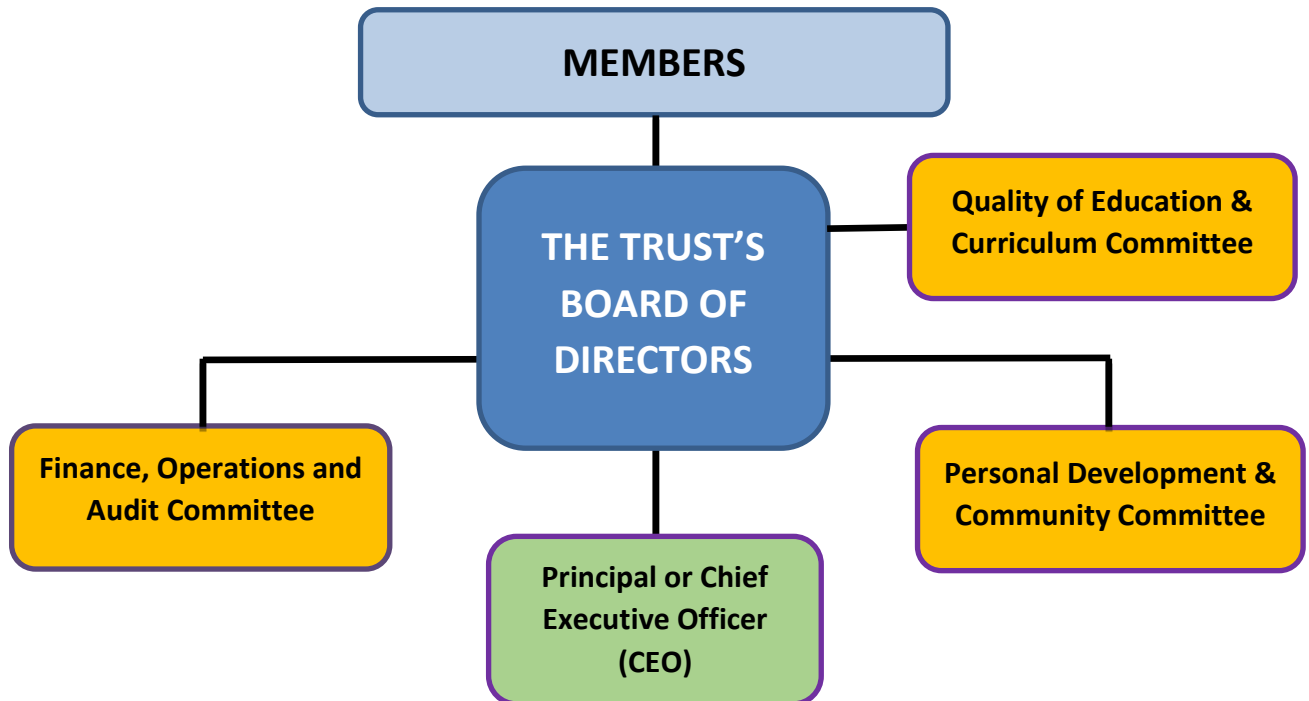
4. Governance Structure and Lines of Accountability

The Board of Directors of an academy trust delegate responsibility for delivery of the vision and strategy to the lead professional of the Trust, who is the Principal and is increasingly being termed as a Chief Executive Officer (CEO). The Trust Board will hold the Principal/CEO to account for the performance of the Trust, including the performance of the academies within the trust. The Principal/CEO in turn holds other senior leaders to account by line managing them. The senior leadership structure will vary from one Trust to another but it is important that any scheme showing what is delegated by the Board includes delegation to the senior leaders as well as to the Committees of the Board of Directors. While the Board cannot ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making.

In this scheme of delegation (SoD) the Board of Directors delegates responsibility for the performance of the LDE UTC, to the Principal / CEO. This means that as the Principal/CEO is accountable to the Board for the performance of the LDE UTC as a whole, the Principal / CEO will report to the Board on the performance of the LDE UTC, although this may be supplemented by monitoring reports from each of the Committees.

The Principal / CEO is performance managed by the Board of Directors. The Principal / CEO performance manages the other senior leaders at the LDE UTC.

5. Roles and Responsibilities

5.1 The Role of Members

The Members of the Trust have a different status to the Directors. Originally, they will have been the signatories to the Memorandum of Association and will have agreed the

Trust's first Articles of Association (a document which outlines the governance structure and how the Trust will operate). The Articles of Association will also describe how Members are recruited and replaced, and how many of the Directors the Members can appoint to the Trust Board. The Members appoint Directors to ensure that the Trust's charitable object is carried out and so must be able to remove Directors if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the Trust to the Members. Members are also responsible for approving any amendments made to the Trust's Articles of Association.

While individually named Members are permitted to be appointed as Directors, in order to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, not all Members should be Directors. Members are not permitted to be employees of the academy trust.

5.2 Role of Directors

The Directors are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Board of Directors is the accountable body for the performance of the LDE UTC and as such must:

1. Ensure clarity of vision, ethos and strategic direction;

2. Hold the Principal / CEO to account for the educational performance of the LDE UTC and its learners, and the performance management of staff; and

3. Oversee the financial performance of the LDE UTC and make sure its money is well spent.

As Directors are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. LDE UTC uses the term Directors.

The Board of Directors is permitted to exercise all the powers of the academy trust. The Board of Directors will delegate to the Principal / CEO responsibility for the day to day operations of the LDE UTC. The Directors can determine whether to delegate any governance functions or not.

The Trust has the right to review and adapt its governance structure at any time which includes removing delegation.

5.3 The Role of Committees

The Board of Directors may establish Committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the Board. However, these Committees are not legally responsible or accountable for statutory functions – the Board retains overall accountability and responsibility. The responsibilities of Committees are set out in their terms of reference. The Board of Directors may appoint Committee Members and Committee Chairs.

5.4 The Role of the Principal or Chief Executive Officer (CEO)

The Principal or CEO has the delegated responsibility for the day-to-day operation of the LDE UTC and performance manages the UTC's management staff (Leadership Team).

The Principal / CEO is also the accounting officer. So has overall responsibility for the operation of the LDE UTC's financial requirements and must ensure that the UTC is run with financial effectiveness and stability; avoiding waste and securing value for money.

6. Delegation Grid

Below is a grid, with columns for each layer of governance, and rows to show who has the power to take which decisions within the Trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the Board of Directors:

Key
Level 1: Members
Level 2: Board of Directors
Level 3: Principal or Chief Executive Officer
Level 4: Board Committee
Level 5: [to be confirmed]
Blue box   Function cannot be legally carried out at this level.
✓ Action to be undertaken at this level
✓ Action to be undertaken at this level
A Provide advice and support to those accountable for decision making
<> Direction of advice and support

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Governance Framework						
People	Members: Appoint/Remove	✓				
	Directors: Appoint/Remove	✓	✓			
	Role descriptions for members	✓				
	Role descriptions for Director/Chair/ specific roles / Committee Members: agree		✓	<A		
	Parent Director / Committee Member: elected		✓	<A		
	Committee Chairs: appoint and remove		✓	<A	<A	
	Establish Committee with an audit function or a separate Audit Committee, if the annual income exceeds £50 million.		✓	<A		
	Clerk to the Board: appoint and remove		✓	<A		
	Clerk to the Committees: appoint and remove		✓	<A	<A	
Systems and structures	Articles of Association: agree and review	✓	<A	<A		
	Governance structure (committees) for the Board to establish and review annually		✓	<A		
	Terms of reference for Board Committees (including audit if required): agree annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	
	Annual self-review of trust board and committee performance: complete annually		✓			

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Systems and structures	Annual self-review of Committee performance: complete annually				✔	
	Chair's performance: carry out 360 review periodically		✔		✔	
	Director / Committee member contribution: review annually		✔		✔	
	Succession: plan		✔	**<A>**	✔	
	Annual schedule of business for Trust board: agree		✔	**<A**		
	Annual schedule of business for Committee: agree			**A>**	✔	
Reporting						
Reporting	Trust governance details on the UTC's website: ensure		✔	**<A**		
	Academy governance details on UTC website: ensure		✔	**<A**		
	Register of all interests, business, pecuniary, loyalty for Members/Directors/Committee Members: establish and publish		✔	**<A**		
	Annual report on performance of the Trust: submit to Members and publish		✔	**<A**		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: produce and submit		✔	**<A>**	✔	
	Refer potentially novel and contentious transactions to Education and Skills Funding Agency (ESFA) for explicit prior authorisation		✔	**<A**		
	Committee minutes, work and reports: submitted to Trust Board				✔	

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Being Strategic						
Being Strategic	Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	<A> ✓	<A ✓	
	Determine college level policies which reflect the college's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve		✓	<A> ✓	<A ✓	
	Make sure that the trust has adequate insurance cover or has opted into the academies risk protection arrangement		✓	<A>	✓	
	Management of risk: establish register, review and monitor		✓	<A>	✓	
	Engagement with stakeholders	✓	✓	✓✓	✓	
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	<A		
	Approve a balanced budget plan to support delivery of Trust key priorities and submit to ESFA.		✓	<A	<A	
	Capital expenditure to support delivery of Trust key priorities: agree		✓	<A	<A	

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Being Strategic	Principal or Chief Executive Officer: Appoint and dismiss		✓			
	Trust's staffing structure: agree		✓	**<A**	**<A**	
	Make sure employment law and guidance is being followed		✓	**<A>**	✓	
Holding to Account						
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	**<A>**	✓	
	Reporting arrangements for progress on key priorities: agree		✓	**<A>**	✓	
	Performance management of the Chief Executive Officer: undertake		✓			
	Performance management of UTC senior leaders: undertake			✓	**<A**	
	Director monitoring: agree arrangements		✓	**<A**		
	Committee Member monitoring: agree arrangements			**A>**	✓	

Area	Decision	Members	Board of Directors	Principal / CEO	Board Committee	tbc
	Delegation					
Ensuring Financial Probity						
Ensuring Financial Probity	Chief Financial Officer for delivery of Trusts detailed accounting processes: appoint		✔	**<A**		
	Trust's scheme of financial delegation: establish and review		✔	**<A**		
	Appoint a registered statutory auditor and prepare annual financial statements in line with the ESFA's academies accounts direction		✔	**<A**		
	External auditors' report: receive and respond		✔	**<A**	✔	
	CEO pay award: agree		✔		✔	
	Senior Leader pay award: agree			**A>**	✔	
	Staff appraisal procedure and pay progression: monitor and agree			**A>**	✔	
	Benchmarking and trust wide value for money: ensure robustness		✔	**<A>**	✔	
	Monito impact of Pupil Premium Funding		✔	**<A>**	✔	
	Develop trust wide procurement strategies and efficiency savings programme			✔	**<A**	
	To enter into contracts/place orders with a value of up to £15,000 p.a. or in total			✔		
	To enter into contracts/place orders with a value between £15,001 and £40,000 pa or in total				✔	
	To enter into contracts/place orders with a value of greater than £40,000 p.a. or in total		✔			

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Safeguarding						
Safeguarding	Check that the Trust complies with statutory guidance on safeguarding		✔	**\<A\>**	✔	
	Make sure that safeguarding arrangements take into account the procedures and practice of the LA, as part of inter-agency safeguarding procedures set up by the Local Safeguarding Children Board		✔	**\<A\>** ✔	✔	
	Make sure a member of the Board is nominated to liaise with the designated officer(s) from the relevant local authority and partner agencies if allegations are made against the Principal		✔	**\<A\>**	✔	
	Monitor the implementation of the child protection policy		✔	**\<A**		
	Appoint a member of staff to be the designated safeguarding lead			✔		
	Make sure that effective support is provided for any employee facing an allegation		✔	**\<A\>** ✔	✔	
Learner Well-Being						
Learner Well-Being	Make sure the provision of free school meals to those learners meeting the criteria		✔	**\<A\>**✔	✔	
	Appoint a designated teacher to promote the educational achievement of looked after children (LAC) and post-LAC and that they undertake appropriate training		✔	**\<A\>**✔	✔	
	Make sure the college complies with the Equality Act 2010 and the Public Sector Equality Duty and publishes equality objectives and information about how it is doing this		✔			
	Make arrangements for supporting learners with medical conditions		✔	**\<A\>**✔	✔	

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Special Educational Needs and Disabilities (SEND)						
Special Educational Needs and Disabilities (SEND)	Designate a member of the Board or a Committee to have oversight of the UTC's arrangements for SEND		✔			
	Make sure that the necessary special education provision is made for any learner who has SEN, and monitor its effectiveness			✔	✔	
	Make sure that parents are notified by the UTC when special educational provision is being made for their child			✔		
	Make sure the UTC produces and publishes online its college SEN information report		✔	**<A>**	✔	
	Co-operate with the local authority in developing the local offer			✔	✔	
	Make sure the UTC follows the statutory SEND Code of Practice		✔	**<A**		
	Make sure that there is a qualified teacher as the special educational needs co-ordinator (SENCO) for the UTC		✔	✔**<A>**	✔	
	Make sure that the teachers at the UTC are aware of the importance of identifying learners who have SEN and providing appropriate teaching			✔		
Behaviour and Exclusions						
Behaviour and Exclusions	Arrange for suitable full-time education for any learner of compulsory school age who has a fixed-term exclusion of more than five college days			✔		
	Convene a meeting to consider reinstating an excluded learner and consider parents' representations about an exclusion.		✔		✔	
	Arrange an independent review panel to consider permanent exclusions, where requested by parents		✔			

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Compliance						
Admissions	Determine the UTC's admissions arrangements annually, including the published admission number (PAN) and the oversubscription criteria		✔	**\<A>**	✔	
	Make sure the UTC's admissions arrangements comply with the School Admissions Code and are fair, clear and objective		✔	**\<A>**	✔	
	Establish an independent appeals panel when there are admissions appeals		✔	**\<A**		
Curriculum	To make sure the UTC teaches a broad and balanced curriculum to the age of 16, which meets statutory and Funding Agreement requirements, and the Trust's vision, ethos and values		✔	**\<A>**	✔	
	To make sure all learners at the college are provided with independent careers guidance from Year 9 to Year 13		✔	**\<A>**	✔	
	To ensure the UTC's Apprenticeship provision is in line with the Trust's vision, ethos and values.		✔	**\<A>**	✔	
Health & Safety	Monitor the implementation of the health and safety policy		✔	**\<A>**	✔	
	Make sure there is an appointed person in charge of first aid		✔	**\<A>**	✔	
Parents and the Community	Make sure the required information is published on the college website		✔	**\<A>**	✔	
	Approve a complaints procedure		✔	**\<A**		
	Establish a complaints panel to consider formal complaints about the college and any community facilities or services it provides		✔			
	Make sure the UTC complies with the Freedom of Information Act 2000 and GDPR requirements.		✔	**\<A>**	✔	

Area	Decision	Delegation				
		Members	Board of Directors	Principal / CEO	Board Committee	tbc
Multi-Academy Trust (MAT) Developments						
MATs	To consider or explore opportunities for forming a Multi Academy Trust (MAT) or joining an existing MAT		✓	**\<A\>**	**\<A**	
	To make decisions about forming a Multi Academy Trust (MAT) or joining an existing MAT.	✓	✓			
	To consider requests from other schools or DfE to join a MAT		✓	**\<A\>**	✓	
	To change the age range, type of provision, status of the college or submit a significant change proposal to the DfE.		✓	**\<A\>**	**\<A**	